

**IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF TENNESSEE  
WESTERN DIVISION**

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**CLIFTON SPICER,**

**Plaintiff,**

**vs.**

**No. 2:21-cv-02812**

**SCOTT WILSON MCCREARY and  
COUNTY LINE TOWING AND RECOVERY, LLC,**

**Defendants.**

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**NOTICE OF REMOVAL OF CIVIL ACTION**

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TO: Brandon Scott Leslie  
**Reaves Law Firm, PLLC**  
1991 Corporate Avenue, Suite 310  
Memphis, TN 38132

The removing Defendant, County Line Towing and Recovery, LLC, pursuant to 28 U.S.C. §1332, 1441 and 1446, and by and through counsel of record, Glassman, Wyatt, Tuttle & Cox, P.C., hereby files its Notice that this matter has been removed from the Circuit Court of Shelby County, Tennessee, to the United States District Court for the Western District of Tennessee, Western Division, and as basis for said removal would show as follows:

1. This matter was originally filed in the Circuit Court of Shelby County, Tennessee, on the 15<sup>th</sup> day of November, 2021, under Docket No. CT-4597-21. A copy of the original Complaint filed in the Circuit Court of Shelby County, Tennessee, is attached to this Notice of Removal as Exhibit “A”.

2. On or about December 6, 2021, the Defendant, County Line Towing and Recovery, LLC, received the Summons and Complaint from the Circuit Court of Shelby County, Tennessee, via private process server. Thus, removal of this action is timely filed. *See* 28 U.S.C. § 1446(b).

3. Upon information and belief, Defendant, Scott McCreary has not been served with the Complaint at this time.

4. Plaintiff is presently, and was at the time the Complaint was filed, a resident citizen of Memphis, Shelby County, Tennessee.

5. Defendant, County Line Towing and Recovery, LLC is presently, and was at the time the Complaint was filed, a limited liability company, whose members are Adnan Nahas who is a resident citizen of Nesbit, Mississippi and Thomas Davis who is a resident of Olive Branch, Mississippi. Defendant's principal place of business in Marshall County, Byhalia, Mississippi.

6. This action is a civil action for personal injuries as a result of an alleged accident occurring in Memphis, Shelby County, Tennessee, on May 24, 2021.

7. The Complaint sets forth an *ad damnum* of "\$1,000,000" for compensatory damages. As such, Defendant contends that the amount in controversy, exclusive of interest and costs, exceeds the sum of \$75,000.00 pursuant to 28 U.S.C. §1446(c)(2).

8. This Court has original jurisdiction of this action pursuant to 28 U.S.C. §1332(a)(1) and (c) as the lawsuit is between citizens of different states, and as the amount in controversy exceeds the sum of \$75,000.00 exclusive of interest and costs.

9. Removing Defendant would further show that venue properly lies with this Court and in this Division pursuant to 28 U.S.C. §1441(a) as the accident occurred in Shelby County, Tennessee, and as this case is being removed from the Circuit Court of Shelby County, Tennessee.

10. As required by 28 U.S.C. § 1446(d), written notice of the filing of this Notice will be given to all parties and a true and correct copy of this Notice will be filed with the Clerk of Shelby County, Tennessee, thereby effectuating removal of this action to this Court.

Respectfully submitted,

/s/ Carl Wyatt  
CARL WYATT, #12304  
**Glassman, Wyatt, Tuttle & Cox P.C.**  
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Memphis, TN 38103  
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***Counsel for County Line Towing and Recovery, LLC***  
GWTC File No. 21-302Z

**CERTIFICATE OF SERVICE**

I hereby certify that on the 29th day of December, 2021, I electronically filed the foregoing with the Clerk of the Court using the CM/ECF system.

A true and correct copy of the foregoing pleading has been properly served via the Court's CM/ECF system, Email and/or United States Mail, postage prepaid upon the following:

Brandon Scott Leslie  
**Reaves Law Firm, PLLC**  
1991 Corporate Avenue, Suite 310  
Memphis, TN 38132

/s/ Carl Wyatt  
Carl Wyatt